

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KERRY ODGERS,
Plaintiff

v.

PROGRESSIVE NORTHERN
INSURANCE COMPANY,
Defendant

: No. 3:15cv329
: (Judge Munley)
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.....
ORDER

AND NOW, to wit, this 23rd day of June 2015, defendant's motion to dismiss (Doc. 4) is **GRANTED** in part and **DENIED** in part. The motion is **GRANTED** with respect to plaintiff's breach of fiduciary duty claim—Count III. Count III is **DISMISSED** with prejudice. The motion is **DENIED** in all other aspects. Defendant is further **ORDERED** to answer plaintiff's complaint within fourteen (14) days.

BY THE COURT:

s/ James M. Munley
JUDGE JAMES M. MUNLEY
United States District Court